



General Assembly

January Session, 2005

Raised Bill No. 6740

LCO No. 3703

03703_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING CERTIFICATION OF CANDIDATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-388 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Whenever a convention of a political party is held for the
4 endorsement of candidates for nomination to state or district office,
5 each candidate endorsed at such convention shall file with the
6 Secretary of the State a certificate, signed by him, stating that he was
7 endorsed by such convention, his name as he authorizes it to appear
8 on the ballot, his full residence address and the title and district, if
9 applicable, of the office for which he was endorsed. Such certificate
10 shall be attested by either (1) the chairman or presiding officer, or (2)
11 the secretary of such convention and shall be received by the Secretary
12 of the State not later than four o'clock p.m. on the fourteenth day after
13 the close of such convention. If a certificate of a party's endorsement
14 for a particular state or district office is not received by the Secretary of
15 the State by such time, such failure to comply with said deadline shall
16 nullify the endorsement and any certificate filed after the deadline

17 shall be invalid and such party, for purposes of section 9-416 and
18 section 9-416a shall [be deemed to] have made no endorsement of any
19 candidate for such office. If applicable, the chairman of a party's state
20 convention shall, forthwith upon the close of such convention, file with
21 the Secretary of the State the names and full residence addresses of
22 persons selected by such convention as the nominees of such party for
23 electors of President and Vice-President of the United States in
24 accordance with the provisions of section 9-175.

25 Sec. 2. Section 9-391 of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective from passage*):

27 (a) Each endorsement of a candidate to run in a primary for the
28 nomination of candidates for municipal office to be voted upon at a
29 municipal election, or for the election of town committee members
30 shall be made under the provisions of section 9-390, as amended by
31 this act, not earlier than the fifty-sixth day or later than the forty-ninth
32 day preceding the day of such primary. The endorsement shall be
33 certified to the clerk of the municipality by either (1) the chairman or
34 presiding officer, [and] or (2) the secretary of the town committee,
35 caucus or convention, as the case may be, not later than four o'clock
36 p.m. on the forty-eighth day preceding the day of such primary. Such
37 certification shall contain the name and street address of each person
38 so endorsed, the title of the office or the position as committee member
39 and the name or number of the political subdivision or district, if any,
40 for which each such person is endorsed. If such a certificate of a party's
41 endorsement is not received by the town clerk by such time, such
42 failure to comply with said deadline shall nullify the endorsement and
43 any certificate filed after the deadline shall be invalid and such party,
44 for purposes of sections 9-417, 9-418 and 9-419, shall [be deemed to]
45 have neither made nor certified such endorsement of any candidate for
46 such office.

47 (b) Each selection of delegates to a state or district convention shall
48 be made in accordance with the provisions of section 9-390, as

49 amended by this act, not earlier than the one-hundred-fortieth day and
50 not later than the one-hundred-thirty-third day preceding the day of
51 the primary for such state or district office. Such selection shall be
52 certified to the clerk of the municipality by the chairman or presiding
53 officer and the secretary of the town committee or caucus, as the case
54 may be, not later than four o'clock p.m. on the one-hundred-thirty-
55 second day preceding the day of such primary. Each such certification
56 shall contain the name and street address of each person so selected,
57 the position as delegate, and the name or number of the political
58 subdivision or district, if any, for which each such person is selected. If
59 such a certificate of a party's selection is not received by the town clerk
60 by such time, such failure to comply with said deadline shall nullify
61 the selection and any certificate filed after the deadline shall be invalid
62 and such party, for purposes of sections 9-417 and 9-420, shall [be
63 deemed to] have neither made nor certified any selection of any person
64 for the position of delegate.

65 (c) Each endorsement of a candidate to run in a primary for the
66 nomination of candidates for a municipal office to be voted upon at a
67 state election shall be made under the provisions of section 9-390, as
68 amended by this act, not earlier than the eighty-fourth day or later
69 than the seventy-seventh day preceding the day of such primary. Any
70 certification to be filed under this section, other than a certification
71 filed in the case of an endorsement for the municipal office of state
72 senator, state representative or judge of probate, shall be received by
73 the town clerk not later than four o'clock p.m. on the fourteenth day
74 after the close of the town committee meeting, caucus or convention, as
75 the case may be. If any such certificate of a party's endorsement is not
76 received by the town clerk by such time, such failure to comply with
77 said deadline shall nullify the endorsement and any certificate filed
78 after the deadline shall be invalid and such party, for the purposes of
79 sections 9-417 and 9-418, shall have neither made nor certified any
80 endorsement of any candidate for such office.

81 (d) In the case of such an endorsement for the municipal office of

82 state senator, state representative or judge of probate, the candidate so
83 endorsed shall file with the Secretary of the State a certificate, signed
84 by the candidate, stating that the candidate was endorsed by such
85 town committee meeting, caucus or convention, as the case may be, the
86 candidate's name as the candidate authorizes it to appear on the ballot,
87 the candidate's full residence address and the title and district, if
88 applicable, of the office for which the candidate was endorsed. Such
89 certificate shall be attested by either (1) the chairman or presiding
90 officer, or (2) the secretary of such convention and shall be received by
91 the Secretary of the State not later than four o'clock p.m. on the
92 fourteenth day after the close of such town committee meeting, caucus
93 or convention, as the case may be. If any such [a] certificate of a party's
94 endorsement is not received by the [town clerk] Secretary of the State,
95 by such time, such failure to comply with said deadline shall nullify
96 the endorsement and any certificate filed after the deadline shall be
97 invalid and such party, for the purposes of sections 9-417 and 9-418,
98 shall [be deemed to] have neither made nor certified any endorsement
99 of any candidate for such office.

100 (e) The candidate so endorsed for a municipal office to be voted
101 upon at a state election, other than the office of justice of the peace and
102 the municipal office of state senator, state representative or judge of
103 probate, shall file with the town clerk a certificate, signed by that
104 candidate, stating that such candidate was so endorsed, [the
105 candidate's name as the candidate authorizes it to appear on the
106 ballot,] the candidate's full street address and the title and district of
107 the office for which the candidate was endorsed. Such certificate shall
108 be attested by either (1) the chairman or presiding officer, [and] or (2)
109 the secretary of the town committee, caucus or convention which made
110 such endorsement. The endorsement of candidates for the office of
111 justice of the peace shall be certified to the clerk of the municipality by
112 either (A) the chairman or presiding officer, [and] or (B) the secretary
113 of the town committee, caucus or convention, and shall contain the
114 name and street address of each person so endorsed and the title of the
115 office for which each such person is endorsed.

116 Sec. 3. Section 9-404a of the general statutes is repealed and the
117 following is substituted in lieu thereof (*Effective from passage*):

118 Petition forms for candidacies for nomination by a political party to
119 a state office, as defined in section 9-372, or the district office of
120 representative in Congress shall be available from the Secretary of the
121 State beginning on the one-hundred-fifth day preceding the day of the
122 primary for such state and district offices. Petition forms for
123 candidacies for nomination by a political party to the district office of
124 judge of probate, state senator or state representative shall be available
125 from the Secretary of the State beginning on the [day following the
126 close of the district convention held for the purpose of nominating
127 such party's candidate for such office] seventy-seventh day preceding
128 the day of the primary for such office. Any person who requests a
129 petition form shall give the person's name and address and the name,
130 address and office sought of each candidate for whom the petition is
131 being obtained and shall file a statement signed by each such
132 candidate that such candidate consents to be a candidate for such
133 office. Each such candidate shall include on the statement of consent
134 the candidate's name as the candidate authorizes it to appear on the
135 ballot. Upon receiving such information and statement, the Secretary
136 shall type or print on a petition form the name and address of each
137 such candidate, the office sought and the political party holding the
138 primary. The Secretary shall give to any person requesting such form
139 one or more petition pages, suitable for duplication, as the Secretary
140 deems necessary. If the person is requesting the form on behalf of an
141 indigent candidate or a group of indigent candidates listed on the
142 same petition, the Secretary shall give the person the number of
143 original pages that the person requests or the number which the
144 Secretary deems sufficient. An original petition page filled in by the
145 Secretary may be duplicated by or on behalf of the candidate or
146 candidates listed on the page and signatures may be obtained on such
147 duplicates. The duplicates may be filed in the same manner and shall
148 be subject to the same requirements as original petition pages. All
149 information relative to primary petitions shall be a public record.

150 Sec. 4. Subsection (d) of section 9-390 of the general statutes is
151 repealed and the following is substituted in lieu thereof (*Effective from*
152 *passage*):

153 (d) The selection of party-endorsed candidates in the manner
154 provided in subsection (a) or (c) of this section and the selection of
155 delegates to conventions in the manner provided in subsection (b) of
156 this section shall be made and certified to the clerk of the municipality
157 or the Secretary of the State, as the case may be, within the time
158 specified in section 9-391, as amended by this act.

159 Sec. 5. Subsections (a) and (b) of section 9-400 of the general statutes
160 are repealed and the following is substituted in lieu thereof (*Effective*
161 *from passage*):

162 (a) A candidacy for nomination by a political party to a state office
163 may be filed by or on behalf of any person whose name appears upon
164 the last-completed enrollment list of such party in any municipality
165 within the state and who has either (1) received at least fifteen per cent
166 of the votes of the convention delegates present and voting on any roll-
167 call vote taken on the endorsement or proposed endorsement of a
168 candidate for such state office, whether or not the party-endorsed
169 candidate for such office received a unanimous vote on the last ballot,
170 or (2) circulated a petition and obtained the signatures of at least two
171 per cent of the enrolled members of such party in the state, in
172 accordance with the provisions of sections 9-404a to 9-404c, inclusive,
173 as amended by this act. Candidacies described in subdivision (1) of
174 this subsection shall be filed by submitting to the Secretary of the State
175 not later than four o'clock p.m. on the fourteenth day following the
176 close of the state convention, a certificate, signed by such candidate
177 and attested by either (A) the chairman or presiding officer, or (B) the
178 secretary of the convention, that such candidate received at least fifteen
179 per cent of such votes, and that such candidate consents to be a
180 candidate in a primary of such party for such state office. Such
181 certificate shall specify the candidate's name as the candidate

182 authorizes it to appear on the ballot, the candidate's full residence
183 address and the title of the office for which the candidacy is being
184 filed. A single such certificate or petition for state office may be filed
185 on behalf of two or more candidates for different state offices who
186 consent to have their names appear on a single row of the primary
187 ballot label under subsection (b) of section 9-437. Candidacies
188 described in subdivision (2) of this subsection shall be filed by
189 submitting said petition not later than four o'clock p.m. on the
190 [fourteenth day following the close of the state convention] sixty-third
191 day preceding the day of the primary for such office to the registrar of
192 voters of the towns in which the respective petition pages were
193 circulated. Each registrar shall file each page of such petition with the
194 Secretary in accordance with the provisions of section 9-404c. A
195 petition filed by or on behalf of a candidate for state office shall be
196 invalid for such candidate if such candidate is certified as the party-
197 endorsed candidate pursuant to section 9-388, as amended by this act,
198 or as receiving at least fifteen per cent of the convention vote for such
199 office pursuant to this subsection. Except as provided in section 9-416a,
200 upon the expiration of the [fourteen-day] period for party
201 endorsement and circulation and [the completion of the] tabulation of
202 [petition] petitions and signatures, if any, if one or more candidacies
203 for such state office have been filed pursuant to the provisions of this
204 section, the Secretary of the State shall notify all town clerks in
205 accordance with the provisions of section 9-433, that a primary for
206 such state office shall be held in each municipality in accordance with
207 the provisions of section 9-415.

208 (b) A candidacy for nomination by a political party to a district
209 office may be filed by or on behalf of any person whose name appears
210 upon the last-completed enrollment list of such party within any
211 municipality or part of a municipality forming a component part of
212 such district and who has either (1) received at least fifteen per cent of
213 the votes of the convention delegates present and voting on any roll-
214 call vote taken on the endorsement or proposed endorsement of a
215 candidate for such district office, whether or not the party-endorsed

216 candidate for such office received a unanimous vote on the last ballot,
217 or (2) circulated a petition and obtained the signatures of at least two
218 per cent of the enrolled members of such party in the district for the
219 district office of representative in Congress, and at least five per cent of
220 the enrolled members of such party in the district for the district offices
221 of state senator, state representative and judge of probate, in
222 accordance with the provisions of sections 9-404a to 9-404c, inclusive,
223 as amended by this act. Candidacies described in subdivision (1) of
224 this subsection shall be filed by submitting to the Secretary of the State
225 not later than four o'clock p.m. on the fourteenth day following the
226 close of the district convention, a certificate, signed by such candidate
227 and attested by either (A) the chairman or presiding officer, or (B) the
228 secretary of the convention, that such candidate received at least fifteen
229 per cent of such votes, and that the candidate consents to be a
230 candidate in a primary of such party for such district office. Such
231 certificate shall specify the candidate's name as the candidate
232 authorizes it to appear on the ballot, the candidate's full residence
233 address and the title and district of the office for which the candidacy
234 is being filed. Candidacies described in subdivision (2) of this
235 subsection shall be filed by submitting said petition not later than four
236 o'clock p.m. on the [fourteenth day following the close of the district
237 convention] sixty-third day preceding the day of the primary for such
238 office to the registrar of voters of the towns in which the respective
239 petition pages were circulated. Each registrar shall file each page of
240 such petition with the Secretary in accordance with the provisions of
241 section 9-404c. A petition may only be filed by or on behalf of a
242 candidate for the district office of state senator, state representative or
243 judge of probate who is not certified as the party-endorsed candidate
244 pursuant to section 9-388, as amended by this act, or as receiving at
245 least fifteen per cent of the convention vote for such office pursuant to
246 this subsection. A petition filed by or on behalf of a candidate for the
247 district office of representative in Congress shall be invalid if said
248 candidate is certified as the party-endorsed candidate pursuant to
249 section 9-388, as amended by this act, or as receiving at least fifteen per

250 cent of the convention vote for such office pursuant to this subsection.
 251 Except as provided in section 9-416a, upon the expiration of the
 252 [fourteen-day] period for party endorsement and circulation and [the
 253 completion of the] tabulation of [petition] petitions and signatures, if
 254 any, if one or more candidacies for such district office have been filed
 255 pursuant to the provisions of this section, the Secretary of the State
 256 shall notify all town clerks within the district, in accordance with the
 257 provisions of section 9-433, that a primary for such district office shall
 258 be held in each municipality and each part of a municipality within the
 259 district in accordance with the provisions of section 9-415.

260 Sec. 6. Subsection (a) of section 9-405 of the general statutes is
 261 repealed and the following is substituted in lieu thereof (*Effective from*
 262 *passage*):

263 (a) (1) Candidacies of persons other than party-endorsed candidates
 264 for nomination by a political party to a municipal office to be voted
 265 upon at a municipal election, or for election as town committee
 266 members shall be filed with the registrar, as provided in section 9-406,
 267 not later than four o'clock p.m. on the thirty-fourth day preceding the
 268 day of the primary of such party for the nomination of candidates for
 269 such office or for the election of town committee members. Said day
 270 and hour shall be specified on the petition forms.

271 (2) Candidacies of persons, other than party-endorsed candidates,
 272 for nomination by a political party to a municipal office to be voted
 273 upon at a state election shall be filed with the registrars, as provided in
 274 section 9-406, not later than four o'clock p.m. on the [fourteenth day
 275 following the making of the party's endorsement of a candidate for
 276 such office] sixty-third day preceding the day of the primary for such
 277 office. Said day and hour shall be specified on the petition forms.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-388

Section 1	<i>from passage</i>	9-388
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Sec. 2	<i>from passage</i>	9-391
Sec. 3	<i>from passage</i>	9-404a
Sec. 4	<i>from passage</i>	9-390(d)
Sec. 5	<i>from passage</i>	9-400(a) and (b)
Sec. 6	<i>from passage</i>	9-405(a)

Statement of Purpose:

To (1) provide for enforcement of deadlines concerning the filing of endorsements, (2) eliminate confusion by requiring all certificates of endorsements for candidates in a state election to be filed with the Secretary of the State, (3) provide flexibility by allowing a certificate of endorsement to be signed by either the presiding officer or secretary of the convention, and (4) provide a date certain for access to and submission of primary petitions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]